

MONDAY, MARCH 19, 2001

NINETEENTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Richard Williams, Blount County Commission, Alcoa, Tennessee.

Representative Overbey led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....95

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Brooks; business reasons.

Representative Boyer; business reasons.

Representative Garrett; business reasons.

Representative Turner (Davidson); business reasons.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 86: Rep(s). Bone as prime sponsor(s).

House Joint Resolution No. 88: Rep(s). Bone as prime sponsor(s).

House Joint Resolution No. 132: Rep(s). Bone as prime sponsor(s).

House Bill No. 302: Rep(s). J. DeBerry, Davidson, Kisber and Turner (Hamilton) as prime sponsor(s).

House Bill No. 540: Rep(s). Curtiss, Goins, Baird, Davidson and Winningham as prime sponsor(s).

House Bill No. 577: Rep(s). Miller, Pleasant, Goins, Baird and Turner (Hamilton) as prime sponsor(s).

House Bill No. 1040: Rep(s). Turner (Hamilton) and Walker as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). McDonald and Godsey was/were removed as sponsor(s) of **House Bill No. 1824**.

MESSAGE FROM THE SENATE
March 19, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 113; adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

Senate Joint Resolution No. 113 -- Memorials, Retirement - Maeola Killebrew. by *Cohen, *Ford J, *Dixon.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Rep. Walker and Sen. Elsea were recognized in the Well to introduce Mrs. Cyndie Swafford, National Multiple Sclerosis Mother of the Year, and family for remarks.

RESOLUTION READ

The Clerk read House Joint Resolution No. 25 honoring Mrs. Swafford on her achievements.

House Joint Resolution No. 25 -- Memorials, Personal Achievement - Cyndie Swafford, National Multiple Sclerosis Mother of the Year. by *Walker .

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 137** -- Memorials, Congress - Urges establishment of prescription drug benefit as component of Medicare program. by *Bowers, *Jones U (Shelby), *Kernell, *Jones, S., *DeBerry L.

House Commerce Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 22, 2001:

House Resolution No. 36 -- Naming and Designating - American Heart Association National CPR Day, April 28, 2001. by *Turner (Davidson).

House Resolution No. 37 -- Memorials, Personal Occasion - Mr. and Mrs. W.R. "Rock" Hughes Jr., 50th wedding anniversary. by *Patton.

House Joint Resolution No. 139 -- Memorials, Congratulations - Shirley Downing, Ms. Tennessee Senior America. by *Naifeh.

House Joint Resolution No. 140 -- Memorials, Personal Achievement - Collin Floyd and Carmen Oakley, 2001 Wilson County Spelling Bee Winners. by *Bone, *Beavers.

House Joint Resolution No. 141 -- Memorials, Death - Judge William Earl Boston. by *White, *Sands, *Fowlkes.

House Joint Resolution No. 142 -- Memorials, Recognition - Great Casey Jones Balloon Classic. by *Kisber.

MONDAY, MARCH 19, 2001 – NINETEENTH LEGISLATIVE DAY

House Joint Resolution No. 143 -- Memorials, Academic Achievement - Katie Elizabeth Young, high school student. by *Godsey.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 22, 2001:

Senate Joint Resolution No. 113 -- Memorials, Retirement - Maeola Killebrew. by *Cohen, *Ford J, *Dixon.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1975 -- Martin - Subject to local approval, changes election date for mayor and aldermen to regular November election; increases mayor's term from two years to four years; clarifies that nonresident owning not less than one-half interest in taxable freehold may vote in city election; clarifies that vice-mayor shall fill vacancy in office of mayor for remainder of unexpired term or until next regular city election, whichever occurs first. Amends Chapter 158 of the Private Acts of 1992; as amended. by *Maddox.

House Bill No. 1976 -- Carroll County - Subject to local approval, authorizes county legislative body to provide for nonbinding, advisory referendum on whether state prison should be located in Carroll County. by *Maddox, *Phelan.

House Bill No. 1977 -- Monterey - Subject to local approval, creates civil service plan for Town of Monterey. Amends Chapter 492 of Acts of 1901. by *Hargrove.

DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 1978, was/were referred to the Delayed Bills Committee.

***House Bill No. 1978** -- Naming and Designating - Names fire station at new Fire Service and Codes Enforcement Academy in Bedford County in honor of Fayetteville Fire Chief Robert Strobe. by *Phillips.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 330** -- Public Utilities - Requires party responsible for excavation or demolition project to install new underground utility with sufficient clearance to permit maintenance of existing utilities and to avoid damaging existing utilities. Amends TCA Section 65-31-110. by *Clabough, *Burks, *Clabough. (HB1316 by *Head, *Curtiss, *Winningham, *Fitzhugh, *Phillips)

***Senate Bill No. 792** -- Alcoholic Beverages - Defines "theater" for authorization of sale and consumption of alcoholic beverages; authorizes sale and consumption of alcoholic beverages at Premier Theater Bistro in Memphis. Amends TCA Title 57, Chapter 4. by *Cohen. (HB1161 by *Jones U (Shelby))

***Senate Bill No. 995** -- Inheritance Laws - Rewrites and clarifies provisions relative to presumption of death due to seven years' absence. Amends TCA Title 30, Chapter 3. by *Henry. (HB913 by *Briley)

***Senate Bill No. 1332** -- Comptroller, State - Authorizes comptroller to provide services to local governments and charge for such services. by *Henry. (HB1532 by *Kisber)

***Senate Bill No. 1581** -- Industrial Development - Unless otherwise authorized by local ordinance or resolution, specifies industrial development board of directors serve without compensation and are reimbursed for actual expenses incurred in performance of duties. Amends TCA Section 7-53-301. by *Cooper J. (HB1291 by *Phillips)

Senate Bill No. 1629 -- Alcoholic Beverage Commission - Increases maximum civil penalties commission authorized to assess. by *Haun. (*HB1352 by *Kent)

***Senate Bill No. 1775** -- Alcoholic Beverages - Requires bed and breakfast establishments in Shelby County seeking licensure to serve alcoholic beverages to have two rooms for sleeping accommodations, instead of six rooms for sleeping accommodations. Amends TCA Section 57-4-102(14)(F). by *Cohen. (HB1784 by *Jones U (Shelby))

Senate Bill No. 1858 -- Alcoholic Beverages - Clarifies that commercial airline and passenger train licensing provisions do not apply to first five commercial airline travel clubs of each airline at each airport instead of all such clubs. Amends TCA Section 57-4-101; Section 57-4-102 and Section 57-4-301. by *Cohen. (*HB1855 by *Kent)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 1972 -- Lawrenceburg -- Local Bill Held on House Desk

House Bill No. 1973 -- Erwin -- Local Bill Held on House Desk

MONDAY, MARCH 19, 2001 – NINETEENTH LEGISLATIVE DAY

House Bill No. 1974 -- Norris -- Local Bill Held on House Desk

CONSENT CALENDAR

House Resolution No. 6 -- Court Rules - Approves amendments and revisions to Tennessee Rules of Appellate Procedure promulgated by supreme court. by *Buck.

House Resolution No. 7 -- Court Rules - Approves amendments and revisions to Tennessee Rules of Evidence promulgated by supreme court. by *Buck.

House Resolution No. 8 -- Court Rules - Approves amendments and revisions to Tennessee Rules of Civil Procedure promulgated by supreme court. by *Buck.

House Resolution No. 9 -- Court Rules - Approves amendments and revisions to Tennessee Rules of Criminal Procedure. by *Buck.

House Resolution No. 35 -- Memorials, Personal Occasion - James T. and Betty May Powell, 50th anniversary. by *Patton, *Davis (Washington).

***House Joint Resolution No. 63** -- Highway Signs - "David Blackwell Bridge," U.S. 31A at Big Rock Creek in Marshall County. by *Fowlkes, *Beavers.

House Joint Resolution No. 86 -- General Assembly, Confirmation of Appointment - Jeanette Rudy, Wildlife Resources Commission. by *Briley.

House Joint Resolution No. 88 -- General Assembly, Confirmation of Appointment - R.B. Baird, III, Wildlife Resources Commission. by *Givens.

House Joint Resolution No. 132 -- Memorials, Recognition - Lakeview Elementary School. by *Beavers.

House Joint Resolution No. 133 -- Memorials, Professional Achievement - Ronnie Pryor, Officer of the Year. by *Overbey, *McCord, *Mumpower.

House Joint Resolution No. 135 -- Memorials, Congratulations - Crawford and Gereda Phillips, 50th wedding anniversary. by *Winningham.

House Joint Resolution No. 136 -- Memorials, Recognition - Johnny Russell, country music entertainer. by *West.

House Joint Resolution No. 138 -- Memorials, Retirement - Lt. Harold Crews. by *Phelan, *Pinion.

***House Bill No. 384** -- Taxes, Business - Clarifies that person placing vacation lodging for rental through property management company is not business for purposes of business tax act. Amends TCA Title 67, Chapter 4, Part 7 and Title 67, Chapter 6. by *Montgomery, *Walker . (SB328 by *Clabough)

MONDAY, MARCH 19, 2001 – NINETEENTH LEGISLATIVE DAY

House Bill No. 593 -- Nuclear Materials, Transportation and Safety - Authorizes Category I Nuclear Facility to designate peace officers and grants such officers certain powers possessed by peace officers. Amends TCA Section 38-3-120. by *Whitson. (*SB506 by *Haun)

On motion, House Bill No. 593 was made to conform with **Senate Bill No. 506**; the Senate Bill was substituted for the House Bill.

House Bill No. 916 -- Sunset Laws - Post-conviction defender commission, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 40, Chapter 30. by *Kernell, *Brooks, *Cooper B. (*SB42 by *Harper)

House Bill No. 937 -- Sunset Laws - Drycleaner environmental response board, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 217. by *Kernell, *Brooks, *Cooper B. (*SB99 by *Harper)

On motion, House Bill No. 937 was made to conform with **Senate Bill No. 99**; the Senate Bill was substituted for the House Bill.

House Bill No. 946 -- Sunset Laws - Board of law examiners, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 23, Chapter 1. by *Kernell, *Brooks, *Cooper B. (*SB63 by *Harper)

House Bill No. 951 -- Sunset Laws - Governor's council on physical fitness and health, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 40. by *Kernell, *Brooks, *Cooper B. (*SB112 by *Harper)

On motion, House Bill No. 951 was made to conform with **Senate Bill No. 112**; the Senate Bill was substituted for the House Bill.

House Bill No. 953 -- Sunset Laws - State law library commission, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 10, Chapter 4. by *Kernell, *Brooks, *Cooper B. (*SB108 by *Harper)

On motion, House Bill No. 953 was made to conform with **Senate Bill No. 108**; the Senate Bill was substituted for the House Bill.

House Bill No. 963 -- Sunset Laws - Tennessee alliance for fitness and health, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 40. by *Kernell, *Brooks, *Cooper B. (*SB98 by *Harper)

On motion, House Bill No. 963 was made to conform with **Senate Bill No. 98**; the Senate Bill was substituted for the House Bill.

House Bill No. 964 -- Sunset Laws - Tennessee aeronautics commission, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 42, Chapter 2. by *Kernell, *Brooks, *Cooper B. (*SB106 by *Harper)

On motion, House Bill No. 964 was made to conform with **Senate Bill No. 106**; the Senate Bill was substituted for the House Bill.

MONDAY, MARCH 19, 2001 – NINETEENTH LEGISLATIVE DAY

House Bill No. 967 -- Sunset Laws - State library and archives management board, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 10, Chapter 1. by *Kernell, *Brooks, *Cooper B. (*SB107 by *Harper)

On motion, House Bill No. 967 was made to conform with **Senate Bill No. 107**; the Senate Bill was substituted for the House Bill.

House Bill No. 1073 -- Sunset Laws - Renal disease advisory committee, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 35. by *Kernell, *Brooks, *Cooper B. (*SB128 by *Harper)

On motion, House Bill No. 1073 was made to conform with **Senate Bill No. 128**; the Senate Bill was substituted for the House Bill.

House Bill No. 1443 -- Victims' Rights - Adds new language to victims' rights statute to specifically cross-reference present law provision to collect court-ordered restitution in same manner as civil judgment. Amends TCA Title 40, Chapter 38, Part 1. by *Scroggs. (*SB1168 by *Herron)

House Bill No. 1528 -- Bonds and Undertakings, Regulation of - Deletes requirement that tax-exempt status of state bonds be printed on such bonds. Amends TCA Section 7-82-105; Section 49-9-103 and Section 67-5-205. by *Kisber. (*SB1333 by *Henry)

On motion, House Bill No. 1528 was made to conform with **Senate Bill No. 1333**; the Senate Bill was substituted for the House Bill.

House Bill No. 1959 -- Tiptonville - Subject to local approval, provides that salary of mayor and aldermen shall be paid monthly. Amends Chapter 393 of the Acts of 1907, as amended. by *Pinion. (SB1927 by *Herron)

House Bill No. 1965 -- Bradley County - Subject to local approval, increases hotel/motel tax from 4 percent to 6 percent; reallocates proceeds of tax. Amends Chapter 19 of the Private Acts of 1991. by *Newton, *Bunch.

House Bill No. 1966 -- Williamson County - Subject to local approval, specifies that upon death of spouse or designated beneficiary receiving benefits under general sessions judge's retirement fund due to death of judge such benefits will be transferred to county general fund. Amends Chapter 221 of the Private Acts of 1961; as amended. by *Sargent, *Williams (Williamson). (SB1931 by *Blackburn)

House Bill No. 1967 -- Humboldt - Subject to local approval, revises requirements for city court and election of city judge. Amends Chapter 253 of the Private Acts of 1978. by *Phelan. (SB1930 by *Carter)

House Bill No. 1968 -- Elkton - Subject to local approval, revises date of city election from first Saturday in June to first Thursday in August beginning with 2002 election; conforms tax due dates and collection and delinquency to general law. Amends Chapter 296 of the Private Acts of 1972. by *Fowlkes. (SB1933 by *Cooper J)

MONDAY, MARCH 19, 2001 – NINETEENTH LEGISLATIVE DAY

House Bill No. 1969 -- Marshall County - Subject to local approval, authorizes adequate facilities tax reasonably related to new development. by *Fowlkes. (SB1932 by *Blackburn)

House Bill No. 1970 -- Hamblen County - Subject to local approval, creates part-time general sessions court and provides for appointment and election of judge to serve such court and hold such court at least 2.5 days per week. Amends Chapter 235 of the Private Acts of 1947; as amended. by *Ford S. (SB1934 by *Haun)

House Bill No. 1971 -- Meigs County - Subject to local approval, enacts hotel/motel tax. by *Newton.

Senate Joint Resolution No. 111 -- Memorials, Death - John Painter. by *Burks, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Eisea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 1966: by Rep. Kisber

House Bill No. 1969: by Rep. Davidson

House Bill No. 1970: by Rep. Kisber

Under the rules, House Bill(s) No(s). 1966, 1969 and 1970 was/were placed at the foot of the calendar for March 22, 2001.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	95
Noes	0

MONDAY, MARCH 19, 2001 – NINETEENTH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 1124 -- Motor Vehicles - Requires parked authorized emergency vehicle to use only visual signals instead of visual and audible signals used when vehicle is in motion. Amends TCA Title 55, Chapter 8, by *Curtiss. (*SB1279 by *Cooper J)

Further consideration of House Bill No. 1124 previously considered on March 12, 2001, at which time it was reset for today's Calendar.

Rep. Curtiss moved that House Bill No. 1124 be passed on third and final consideration.

Rep. Curtiss moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1124 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-8-108, is amended by deleting subsections (b) and (c) in their entirety, and by substituting instead the following language:

(b) A driver of an authorized emergency vehicle operating such vehicle in accordance with the provisions of subsection (a) may:

(1) Park or stand, notwithstanding other provisions of this chapter which regulate parking or standing;

(2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(3) Exceed the speed limits so long as life or property is not thereby endangered; and

(4) Disregard regulations governing direction of movement or turning in specified directions.

(c) The exemptions herein granted under subsection (b) to a driver of an authorized emergency vehicle shall only apply when such vehicle is making use of audible and visual signals meeting the requirements of the applicable laws of this state, except as provided in subdivisions (1) and (2).

(1) An authorized emergency vehicle operated as a police vehicle may be equipped with or display a red light only in combination with a blue light visible from in front of the vehicle.

(2) While parked or standing, an authorized emergency vehicle shall only be required to make use of visual signals meeting the requirements of the applicable laws of this state.

Nothing in this section shall be construed to prohibit the driver of an authorized emergency vehicle, while parked or standing, from making use of both audible and visual signals meeting the requirements of the applicable laws of this state, in the discretion of the driver.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Curtiss moved that **House Bill No. 1124**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes94
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kemell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 1586 -- Highway Signs - "Glidewell-Williams Bridge," S.R. 224 in McNairy County, by *Rinks. (*SB1342 by *Wilder)

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

On motion, House Bill No. 1586 was made to conform with **Senate Bill No. 1342**; the Senate Bill was substituted for the House Bill.

Rep. Rinks moved that Senate Bill No. 1342 be passed on third and final consideration.

Rep. Ridgeway moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1342 By adding the following new, appropriately designated section immediately preceding the effective date section:

SECTION ____.

(1) This act shall become operative only if McNairy County, Tennessee, either remits the estimated cost of the erection of such signs to the department of transportation within one (1) year of the effective date of this act or manufactures such signs in accordance with the provisions of subdivision (2). McNairy County shall make such payment prior to any expenditure by the state for manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to McNairy County within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, McNairy County shall remit an amount equal to the difference in such costs to the department within thirty (30) days of receiving an itemized invoice of the actual cost from the department.

(2) McNairy County may manufacture and erect such signs provided that such signs are manufactured and erected pursuant to state and federal guidelines and approved by the department.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Rinks moved that **Senate Bill No. 1342**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes93
Noes0

MONDAY, MARCH 19, 2001 – NINETEENTH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

***House Bill No. 302** -- Criminal Offenses - Includes email and internet services as means by which person may commit offense of harassment. Amends TCA Title 39, Chapter 17, by *Briley. (SB550 by *Rochelle, *Burks)

On motion, House Bill No. 302 was made to conform with **Senate Bill No. 550**; the Senate Bill was substituted for the House Bill.

Rep. Briley moved that **Senate Bill No. 550** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes93
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

House Bill No. 776 -- Registrars of Deeds - Requires preparer of instrument to leave blanks in recital for book and page number for register of deeds to complete if deed or other instrument from which grantor received equitable interest is received simultaneously with instrument on which recital is required. Amends TCA Section 66-24-110(b). by *Briley. (*SB512 by *Henry)

Rep. Briley moved that **House Bill No. 776** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes94
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 777 -- Registrars of Deeds - Allows county register to refuse to register any illegible writing and does not allow person seeking registration to affirm that illegible document is best copy. Amends TCA Section 66-24-101(b). by *Briley. (*SB515 by *Henry)

On motion, House Bill No. 777 was made to conform with **Senate Bill No. 515**; the Senate Bill was substituted for the House Bill.

Rep. Briley moved that Senate Bill No. 515 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Briley moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 515 by deleting the period at the end of the amendatory language of subsection (b) of SECTION 1 and substituting instead the following:

unless the person seeking to register the writing attaches to it for recording an affidavit stating that such writing is the best available original and sets forth the following facts regarding the writing:

- (1) the type of document or instrument;
- (2) the grantor(s) and grantee(s);
- (3) the date of execution;
- (4) the name of the person or persons authenticating or acknowledging the signature of the grantor, and their title, if any;
- (5) a description of the real property, if any, being affected by the writing; and

MONDAY, MARCH 19, 2001 – NINETEENTH LEGISLATIVE DAY

(6) all other information or recitals required by law for the registration of the writing that would otherwise be placed on the writing itself.

If an affidavit in the form and with the information as required by this subsection is attached to the writing, the register shall register the writing notwithstanding that it is illegible or cannot be legibly recorded or reproduced.

On motion, Amendment No. 2 was adopted.

Rep. Briley moved that **Senate Bill No. 515**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes91
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Briley, Brown, Buck, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

A motion to reconsider was tabled.

House Bill No. 540 -- Taxes, Gasoline, Petroleum Products - Revises provisions on sales of dyed diesel fuel at retail. Amends TCA Title 67, Chapter 3, Part 17 and Title 67, Chapter 3, Part 19. by *Bone, *Phelan, *Givens, *Montgomery, *McCord, *McDaniel, *McDonald, *Fraley, *Walker. (*SB291 by *Rochelle)

Rep. Bone moved that House Bill No. 540 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 540 By inserting in subsection (c) of the amendatory language of Section 2 the words "by the seller" between the words "shall be recorded" and the words "at or near".

AND FURTHER AMEND By adding the following language as a new subsection to the amendatory language of Section 2:

MONDAY, MARCH 19, 2001 – NINETEENTH LEGISLATIVE DAY

(d) Notwithstanding any other provision of this chapter, all dyed diesel pumps or devices installed or made operational after January 1, 2001, shall be located no closer than twelve feet (12') from any undyed diesel fuel pump. This requirement does not apply to replacement pumps or devices for those dyed diesel pumps or devices existing as of January 1, 2001, and otherwise compliant with the requirements of this chapter.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Bone moved that **House Bill No. 540**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes92
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

House Bill No. 390 -- Highway Signs - "Walt Watters Memorial Bridge," US Highway 43 in Lawrence County. by *White. (*SB231 by *Jackson, *Williams)

On motion, House Bill No. 390 was made to conform with **Senate Bill No. 231**; the Senate Bill was substituted for the House Bill.

Rep. White moved that Senate Bill No. 231 be passed on third and final consideration.

Rep. Ridgeway moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 231 By adding the following new, appropriately designated section immediately preceding the effective date section:

SECTION ____.

(1) This act shall become operative only if the city of Lawrenceburg, Tennessee, either remits the estimated cost of the erection of such signs to the department of transportation within one (1) year of the effective date of this act or manufactures such signs in accordance with the provisions of subdivision (2). The city of Lawrenceburg shall make such payment prior to any expenditure by the state for manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to the city of Lawrenceburg within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, the city of Lawrenceburg shall remit an amount equal to the difference in such costs to the department within thirty (30) days of receiving an itemized invoice of the actual cost from the department.

(2) The city of Lawrenceburg may manufacture and erect such signs provided that such signs are manufactured and erected pursuant to state and federal guidelines and approved by the department.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. White moved that **Senate Bill No. 231**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

***House Bill No. 577** -- Education - Authorizes local education agencies to issue high school diplomas to veterans who failed to receive their diplomas due to military service in World War I. Amends TCA Section 49-2-119. by *Winningham, *Patton. (SB1093 by *Burks)

Rep. Winningham moved that House Bill No. 577 be passed on third and final consideration.

MONDAY, MARCH 19, 2001 – NINETEENTH LEGISLATIVE DAY

Rep. Winningham moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 577 by redesignating Section 2 of the printed bill to be Section 4 and by adding the following new sections:

SECTION 2. Tennessee Code Annotated, Section 49-2-119, is amended by designating the existing language as subsection (a) and by adding the following as a new subsection (b):

(b) Each local education agency may issue a high school diploma authorized by subsection (a) to an eligible deceased veteran, upon the request of such veteran's surviving spouse, if any, or other immediate family members.

SECTION 3. The state board of education is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Winningham moved that **House Bill No. 577**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes94
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 1040 -- Teachers, Principals and School Personnel - Requires immediate suspension and dismissal of teachers convicted of certain drug offenses. Amends TCA Title 49, Chapter 5, Part 5. by *Winningham. (*SB1057 by *Burks)

Rep. Winningham moved that **House Bill No. 1040** be passed on third and final consideration, which motion prevailed by the following vote:

MONDAY, MARCH 19, 2001 – NINETEENTH LEGISLATIVE DAY

Ayes95
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 1038 -- Tennessee Higher Education Commission - Provides that members of THEC and state board of regents may remain on board until end of their current terms even if congressional redistricting places them outside congressional district from which they were appointed. Amends TCA Section 49-8-201; Section 49-9-202 and Section 49-7-204. by *Winningham. (*SB1478 by *Davis L)

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

Rep. Winningham moved that **House Bill No. 1038** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes95
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

MONDAY, MARCH 19, 2001 – NINETEENTH LEGISLATIVE DAY

House Bill No. 1824 -- Telecommunications - Clarifies that interexchange carriers are not public utilities and are not subject to provisions governing public utilities. Amends TCA Title 65, Chapter 4, Part 1. by *Head, *Kisber, *Williams (Williamson), *Rinks, *Cole (Dyer), *Ford S, *Westmoreland, *Towns, *Curtiss, *Bowers, *Godsey, *Davis (Cocke), *Whitson, *Kent, *Cole (Carter), *Sands, *Rhinehart, *Lewis, *Armstrong, *Buttry, *McKee, *Phelan, *Ferguson, *Kernell, *Arriola. (*SB1282 by *Cooper J, *Rochelle, *Ramsey)

On motion, House Bill No. 1824 was made to conform with **Senate Bill No. 1282**; the Senate Bill was substituted for the House Bill.

Rep. Head moved that Senate Bill No. 1282 be passed on third and final consideration.

Rep. Newton moved the previous question, which motion prevailed.

Rep. Head moved that **Senate Bill No. 1282** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	68
Noes	20
Present and not voting	5

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Bone, Bowers, Brown, Buck, Buttry, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Head, Hood, Johnson, Kent, Kernell, Kisber, Langster, Lewis, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Pinion, Rhinehart, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stanley, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Westmoreland, Whitson, Williams, Wood, Mr. Speaker Naifeh -- 68.

Representatives voting no were: Beavers, Briley, Clem, Fitzhugh, Hargrove, Harwell, Jones S, Maddox, Odom, Pleasant, Pruitt, Ridgeway, Shaw, Shepard, Tidwell, Vincent, West, White, Windle, Winningham -- 20.

Representatives present and not voting were: Black, Bunch, Jones U, McDonald, Rowland -- 5.

A motion to reconsider was tabled.

House Bill No. 835 -- Highway Signs - "Noah F. Weaver Memorial Highway," State Highway 100 By-Pass in Chester County. by *McDaniel. (*SB1337 by *Wilder)

On motion, House Bill No. 835 was made to conform with **Senate Bill No. 1337**; the Senate Bill was substituted for the House Bill.

Rep. McDaniel moved that Senate Bill No. 1337 be passed on third and final consideration.

Rep. Ridgeway moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1337 By adding the following new, appropriately designated section immediately preceding the effective date section:

SECTION __.

(1) This act shall become operative only if Chester County, Tennessee, either remits the estimated cost of the erection of such signs to the department of transportation within one (1) year of the effective date of this act or manufactures such signs in accordance with the provisions of subdivision (2). Chester County shall make such payment prior to any expenditure by the state for manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to Chester County within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, Chester County shall remit an amount equal to the difference in such costs to the department within thirty (30) days of receiving an itemized invoice of the actual cost from the department.

(2) Chester County may manufacture and erect such signs provided that such signs are manufactured and erected pursuant to state and federal guidelines and approved by the department.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. McDaniel moved that **Senate Bill No. 1337**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

MONDAY, MARCH 19, 2001 – NINETEENTH LEGISLATIVE DAY

***House Bill No. 1361** -- Securities - Enacts "The Securities Omnibus Act of 2001." Amends TCA Title 48, Chapter 2, Part 1. by *Sargent, *Boyer. (SB1638 by *Clabough, *Atchley)

Rep. Sargent moved that **House Bill No. 1361** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

***House Bill No. 1379** -- Banks and Financial Institutions - Authorizes commissioner of financial institutions to define conflicts of interest for investigators; changes certain bank accounting requirements and makes other various changes to banking law. Amends TCA Title 45, Chapters 1 and 2 and Section 45-14-114. by *Ford S, *Boyer. (SB1656 by *Elsea, *Atchley)

Rep. Ford moved that House Bill No. 1379 be reset for the Regular Calendar on March 26, 2001, which motion prevailed.

***House Bill No. 1394** -- Labor and Workforce Development, Dept. of - Designates citation issued for violation of occupational safety and health standard as final order of department 20 days after its receipt by employer. by *Overbey, *McDaniel. (SB1671 by *Elsea, *Atchley)

Rep. Overbey moved that **House Bill No. 1394** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

MONDAY, MARCH 19, 2001 – NINETEENTH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 960 -- Sunset Laws - Wastewater financing board, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 221. by *Kernell, *Brooks, *Cooper B. (*SB44 by *Harper)

Further consideration of House Bill No. 960 previously considered on March 15, 2001, at which time it was reset for today's Calendar.

Rep. Kernell moved that **House Bill No. 960** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes95
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. McMillan moved that the rules be suspended for the purpose of introducing House Resolution No. 25 out of order, which motion prevailed.

***House Resolution No. 25** -- General Assembly - Adopts Ethics Code for house of representatives. by *McMillan, *Wood, *Kisber, *Rinks, *McDaniel, *Kent, *DeBerry L, *Davidson, *Harwell, *Cole (Carter).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. McMillan, the resolution was adopted by the following vote:

Ayes	90
Noes	0
Present and not voting	4

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 90.

Representatives present and not voting were: Bowers, Cooper, Towns, Turner (Shelby) - 4.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 101: Rep(s). Langster as prime sponsor(s).

House Bill No. 428: Rep(s). Cooper as prime sponsor(s).

House Bill No. 693: Rep(s). Walker as prime sponsor(s).

House Bill No. 728: Rep(s). Walker as prime sponsor(s).

House Bill No. 1624: Rep(s). Pruitt, Patton, Odom, Davis (Washington), Montgomery, Bowers and Arriola as prime sponsor(s).

MONDAY, MARCH 19, 2001 – NINETEENTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

March 19, 2001

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 129; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

March 19, 2001

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 130; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

March 19, 2001

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 84; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

March 19, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 219; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

ENGROSSED BILLS

March 19, 2001

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 384, 540, 577, 776, 916, 946, 960, 1038, 1040, 1124, 1361, 1394, 1443, 1959, 1965, 1967, 1968, 1971, also, House Joint Resolution(s) No(s). 63, 86, 88, 132, 133, 135, 136 and 138.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 19, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 79, 171, 644, 1041, 1159, 1285, 1296, 1512, 1655, 1875, 1905 and 1906; all passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

***Senate Bill No. 79** -- Sunset Laws - Private protective services advisory committee, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 35. by *Harper. (HB1623 by *Kernell, *Brooks, *Cooper B)

***Senate Bill No. 171** -- Motor Vehicles, Titling and Registration - Revises procedure for allocation of funds produced from sale of Friends of Great Smoky Mountains specialty earmarked license plates. Amends TCA Section 55-4-271. by *Clabough, *Williams. (HB234 by *Montgomery)

Senate Bill No. 644 -- Highways, Roads and Bridges - Designates Tennessee Technology Corridor by signage on Pellissippi Parkway. by *Burchett. (*HB519 by *Bittle)

Senate Bill No. 1041 -- Landlord and Tenant - Clarifies that counties specifically excluded under Uniform Residential Landlord and Tenant Act shall remain excluded notwithstanding results of 2000 federal census or any subsequent federal census. Amends TCA Section 66-28-102. by *Ramsey. (*HB246 by *Williams (Williamson))

***Senate Bill No. 1159** -- Safety, Dept. of - Requires department to develop and maintain information concerning drunk driving on department's web page. Amends TCA Title 4, Chapter 3, Part 20 and Title 55. by *Herron, *Burks. (HB1825 by *Ridgeway)

***Senate Bill No. 1285** -- Surveyors - Revises terms of surveyors licenses from one year to two years; requires notification of renewal of licenses to be at least 60 days rather than one month; authorizes change of address to be given to board by e-mail. Amends TCA Title 62 and Title 66. by *Clabough. (HB849 by *Boyer)

***Senate Bill No. 1296** -- Motor Vehicles - Authorizes Davidson County to set special speed limits for school entrances. Amends TCA Section 55-8-152. by *Harper. (HB1523 by *Odom)

***Senate Bill No. 1512** -- State Government - Abolishes Security for Public Deposits Task Force; authorizes governor, state treasurer, and commissioner of finance and administration, in interest of state's business, to declare financial institution as "state depository"; changes membership of collateral pool board. Amends TCA Section 4-29-223(a)(22); Section 9-4-107; Section 9-4-506 and Section 9-4-521. by *Rochelle. (HB1304 by *Kisber)

Senate Bill No. 1655 -- Loan Companies and Short Term Lenders - Changes some qualifications for industrial loan and thrift companies; authorizes commissioner of financial institutions to ban certain individuals from industry; establishes new recordkeeping and disclosure requirements. Amends TCA Title 45, Chapters 5 and 13. by *Eisea, *Atchley. (*HB1378 by *Ford S, *Boyer)

MONDAY, MARCH 19, 2001 – NINETEENTH LEGISLATIVE DAY

Senate Bill No. 1875 -- Highway Signs - "William Broady Harrison Memorial Bridge," S.R. 72 in Loudon County, by *Miller J. (*HB1909 by *Johnson)

***Senate Bill No. 1905** -- Highway Signs - "Historic LaGrange," Exit 35 on I-40 in Fayette County, by *Wilder, *Williams. (HB1932 by *Fitzhugh)

***Senate Bill No. 1906** -- Highway Signs - "Charlie and Laura Edenton Memorial Bridge," S.R. 196 over Short Creek in Fayette County, by *Wilder. (HB1931 by *Fitzhugh)

ROLL CALL

The roll call was taken with the following results:

Present93

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

RECESS MOTION

On motion of Rep. Davidson, the House stood in recess until 9:00 a.m., Thursday, March 22, 2001.